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Hewlett Packard Company
Legal Department 20BN
PO Box 10301
Palo Alto, California 94303-0890

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In re Application of: Srivatsa Krishnaswamy)
Application No.: 09/049,676)
Filed: March 27, 1998) **DECISION ON PETITION TO**
For: MULTI-PROTOCOL) **WITHDRAW HOLDING OF**
COMMUNICATION SUBSYSTEM) **ABANDONMENT**
CONTROLLER)

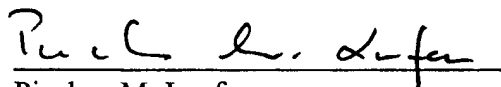
This is a decision on the communication styled "Petition for Revival under 37 CFR 1.137(a) filed December 5, 2003 which is being treated as a petition under 37 CFR § 1.181 to withdraw an improper holding of abandonment.

A decision was rendered by the BPAI on March 17, 2003 the result of which was that claims 1-14 and 21-34 were found to be patentable and claims 15-20 were determined to be unpatentable. At that point in the prosecution, there was no time period running against Applicant nor was any action required on Applicant's part.

A Notice of Abandonment was mailed on October 14, 2003. This abandonment was error, as the Examiner should have cancelled claims 15-20 and issued a Notice of Allowance passing the remaining claims to issue. Therefore, the application was not abandoned in fact.

Accordingly, the petition is **GRANTED**. The abandonment is **WITHDRAWN**.

The application file is being forwarded to the Examiner of record for appropriate action.



Pinchus M. Laufer
Special Programs Examiner
Technology Center 2100
Computer Architecture, Software, and Information Security
(571) 272-3599